

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY L. CURTIS,

Plaintiff,

CONFIDENTIALITY
STIPULATION AND ORDER

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE CO.,

06 Civ. 12903; 07 Civ. 3232; 07
Civ. 8675 (CLB) (LMS); *07 CV 8588*
(ALLSTATE)
ACTION

Defendant.

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IT IS HEREBY ORDERED AND ADJUDGED that, for the purpose of preserving the confidentiality of certain information about which the Commissioner of Social Security is producing in response to the Order of this Court dated June 17, 2008, directing the Social Security Administration to provide (i) documents and records establishing the timing and amount of all disability benefits paid to plaintiff for the period January 2000 through present; and (ii) documents and records concerning the scope and extent of disability attributed to plaintiff; counsel for defendant agrees as follows:

1. Any and all information produced by the Social Security Administration pursuant to the Court Order and any subpoena:
 - (a) shall be used by defendant and its counsel only for purposes of this action;
 - (b) shall not be published to the public in any form by the defendant or its counsel, nor used by the defendant for any business or commercial purposes;
 - (c) may be disclosed by defendant or its counsel only to the following persons:

(i) the defendant or its attorney of record, including any attorney employed by the law office of record that represents the defendant;

(ii) secretarial, clerical and paralegal or student personnel employed full-time or part-time by attorneys or the law office that represents the defendant;

(iii) independent (non-employee) expert witnesses or advisors retained by the defendant or its counsel in connection with this action;

(iv) officers and managerial or supervisory personnel of the defendant;

(v) court reporters or stenographers engaged to record deposition testimony, and their employees;

(vi) such other persons as may be authorized by the Court.

2. A copy of this Confidentiality Order shall be delivered to each of the named parties and to each person within categories (i), (iii), (iv) and (vi) of ¶ 1(c) above to whom a disclosure of confidential information is made, at or before the time of disclosure, by defendant making the disclosure or its counsel. The provisions of this Confidentiality Order shall be binding upon each such person to whom disclosure is made.

3. The provisions of this Order shall not be construed as preventing:

(a) any disclosure of confidential information by the plaintiff;

(b) any disclosure of confidential information to any District Judge, Magistrate Judge, or employee of this Court for purposes of this action;

(c) any disclosure of confidential information for the purpose of the enforcement of criminal laws.

4. All information subject to confidential treatment in accordance with the terms of this Confidentiality Order that is filed with the Court, and any pleadings, motions or other papers filed with the Court disclosing any confidential information, shall be filed and kept under seal until further order of the Court. Where possible, only the confidential portions of documents filed with the Court shall be kept under seal.

5. This Confidentiality Order shall not prejudice in any way the right of plaintiff or the Commissioner to apply to the Court for a further protective order relating to any confidential information.

6. Upon the conclusion of this litigation, all confidential information supplied by the Commissioner and all copies thereof, shall be returned to the Commissioner, or such confidential material shall be certified to have been destroyed.

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Attorneys for Defendant

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MICHAEL J. GARCIA
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK
Attorney for the Social Security Administration

By:


SUSAN C. BRANAGAN, ESQ.

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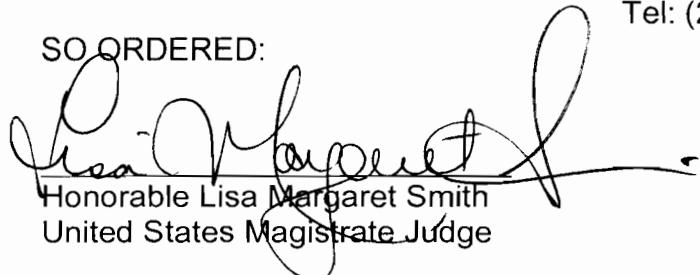
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Rina Grassotti, Esq.

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SO ORDERED:



Honorable Lisa Margaret Smith
United States Magistrate Judge